

AMENDED IN ASSEMBLY MARCH 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 390

Introduced by Assembly Member Montanez

February 14, 2003

An act to add Section 41514.1 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 390, as amended, Montanez. Hospitals: backup generators.

Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources and, subject to the powers and duties of the State Air Resources Board, requires that districts adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. Existing law authorizes each district to establish a permit system that requires, except as specified, that before any person builds, erects, alters, replaces, operates, or uses any article, machine, equipment, or other contrivance that may cause the issuance of air contaminants, the person obtain a permit from the air pollution control officer of the district.

Under existing law, the State Department of Health Services regulates health facilities, including general ~~acute~~ acute care hospitals.

This bill would require a general acute care hospital to test its diesel powered backup generator as prescribed. This bill would require a general acute care hospital to submit this data ~~annually~~ to the department *upon the department's request*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 41514.1 is added to the Health and
2 Safety Code, to read:

3 41514.1. (a) A general acute care hospital, as defined under
4 subdivision (a) of Section 1250, shall test its diesel backup
5 generator 12 times a year with testing intervals of not less than 20
6 days and not more than 40 days. These tests shall be conducted for
7 at least 30 continuous minutes under a dynamic load that is at least
8 30 percent of the nameplate amperage rating of the generator.

9 A general acute care hospital shall also test the automatic
10 transfer switches for ~~it~~ *its* diesel generator 12 times a year with
11 testing intervals of not less than 20 days and not more than 40 days.

12 (b) A general acute care hospital may test its diesel backup
13 generator less than 30 percent of the amperage rating contained on
14 the diesel backup generator’s nameplate. If a general acute care
15 hospital tests its diesel backup generator less than 30 percent of the
16 amperage rating contained on the diesel backup generator’s
17 nameplate, the hospital shall revise the existing documented
18 management plan to conform with the *latest editions of the*
19 *National Fire Protection Association 99: Standard for Health Care*
20 *Facilities, 2002—~~edition~~*, and the *National Fire Protection*
21 *Association 110: Standard for Emergency and Standby Power*
22 *Systems, 2002—~~edition~~*, testing and maintenance activities. These
23 activities shall include inspection procedures for assessing the
24 prime mover’s exhaust gas temperature against the minimum
25 temperature recommended by the manufacturer.

26 (c) A diesel powered backup generator at a general acute care
27 hospital that does not meet the minimum exhaust gas temperatures
28 during testing shall be exercised for 30 continuous minutes at
29 intervals described in subdivision (a) with available emergency
30 power supply systems ~~load~~ *loads* and tested annually with
31 supplemental loads of all of the following in the following order
32 for a total of two continuous hours:

- 33 (1) Twenty-five percent of nameplate rating for 30 minutes.
- 34 (2) Fifty percent of nameplate rating for 30 minutes.
- 35 (3) Seventy-five percent of nameplate rating for 60 minutes.



1 (d) *During those weeks when a diesel backup generator is not*
2 *tested as provided for in subdivisions (a) to (c), inclusive, the diesel*
3 *generator shall be started at least one time per week, with or*
4 *without a load, for a period of time not to exceed the time it takes*
5 *for the coolant temperature to stabilize.*

6 (e) A general acute care hospital shall submit all data collected
7 under this section ~~annually~~ to the State Department of Health
8 Services *when requested by the department.*

